

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:08CR3096
)	4:99CR3040
v.)	
)	
MICHAEL A. EALEY,)	ORDER
)	
Defendant.)	
)	

IT IS ORDERED:

1. Plaintiff's unopposed oral motion to continue the telephone planning conference is granted. The conference is continued from January 8, 2009 to February 2, 2009 at 10:30 a.m. Plaintiff's counsel shall initiate the call.

2. The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between January 6, 2009 and February 2, 2009 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice.

18 U.S.C. § 3161(h) (8) (A) & (B).

DATED January 6, 2009.

BY THE COURT:

s/ *David L. Piester*
David L. Piester
United States Magistrate Judge